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CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTION OF: INDEPENDENCE OF THE JUDICIARY, ADMINISTRATION OF JUSTICE, IMPUNITY

Written statement* submitted by North-South XXI, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[20 December 1999]

* This written statement is issued, unedited, as received from the submitting non-governmental organization.

Functioning of the justice system in Burkina Faso

1. In the wake of the murder of the journalist Norbert Zongo, the Burkina Faso authorities, far from elucidating this crime, are protecting those responsible, who appear to be close to the Government, and taking repressive action against the grass-roots movement consisting of associations, trade unions and opposition forces working together with the Mouvement Burkinabé pour les Droits de l'Homme et des Peuples (MBDHP).

2. This repressive stance is eliminating the credibility built up by Burkina Faso with international public opinion and jeopardizing the achievements of the democratization process.

3. The group of democratic organizations, which has identified the criminals and perpetrators of political killings in Burkina Faso, demands that investigations and prosecutions should be carried to a conclusion. In reprisal, the members of this group, including the President of the Inter-African Union for Human Rights (UIDH), have been arrested and prosecuted for "breach of security" and "attempt to incite dissidence within the army". They face prison terms of one to five years.

4. The Burkina Faso system of justice must perform its function in accordance with the principles governing a State under the rule of law, which Burkina Faso claims to be. It must prosecute and punish the murderers of David Ouédrogo, Pepin Auguste Ouédraogo, Mamadou Koné and the members of the military who fired on civilians and children at Garengo (1995), Réo (1996) and Toma (1999), in order fully to involve the army in the democratization process.

5. The Commission on Human Rights must intercede to ensure the protection of activists of the Mouvement Burkinabé pour les Droits de l'Homme et des Peuples and the Inter-African Union for Human Rights, including its President, Halidou Ouédraogo, by demanding that the Burkina Faso system of justice deal equitably and independently with all the cases before it.

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